

### REMARKS

Claims 24-46 were pending and presented for examination and in this application. In a final Office Action dated April 17, 2008, claims 24-46 were rejected. Applicants thank the Examiner for examination of the claims pending in this application and addresses the Examiner's comments below. Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

### Interview Summary

On June 13, 2008, Examiner Cuff, SPE Ryan Zeender, and Applicants' representatives Jennifer Bush and Helen Li discussed by telephone the cited Tantry reference (US 5,398,336) in view of Friedman (US 6,763,499), with respect to differences from the claimed invention. No agreement was reached.

### Improper Final Action – Unaddressed Claim Limitations

Applicants submit that the current action was improperly made final, as several claim elements were not addressed by the Final Action (nor have they ever been addressed); this error "affects applicant's ability to reply to the Office action." MPEP 710.06. Specifically, the Examiner's omnibus rejection of the claims entirely, and improperly, ignored several limitations present in the claims. See MPEP 707.07(d) ("A plurality of claims should never be grouped together in a common rejection, unless that rejection is **equally applicable** to all claims in the group." (emphasis added))

Specifically, the following limitations we not addressed: (1) independent claims 31, 39 – "**collecting** specification information...from one or more types of data source equipment ... to form a Description Document" and "**gathering** the specification information

forming the Description Document from the one or more site data appliances at one or more site servers,” independent claim 38 – “**creating** a Description Document comprising ... specification information comprising information about events that each of the one or more types of data source equipment is **capable of generating**,” independent claim 46 – “**a plurality of types** of automated data source equipment”; (2) dependent claims 25, 32, 40 “wherein the data center **sends the mapping of the event information to the one or more site servers**,” dependent claims 27, 34, 42 “**a portable device** ... to access an instance of the Description Document,” and dependent claims 28, 35, 43 “wherein the specification information further comprises **method and property information**.”

Thus, Applicants submit that not all limitations of the pending claims have been addressed in the pending Final Office Action, and that these errors substantially affect Applicants’ ability to properly reply to the Final Office Action or to proceed to appeal. Thus, Applicants request withdrawal of the finality of the action, provision of a supplemental office action or replacement action, and reset of the period for response to the office action according to MPEP 710.06.

In the interest of furthering prosecution, Applicants have attempted to address the Examiner’s rejections below based on the limited information provided.

#### **Response to Rejection Under 35 USC §103(a)**

In the final Office Action, Examiner rejects claims 24-46 under 35 USC § 103(a) as allegedly being unpatentable over Tantry in view of Friedman. This rejection now is traversed.

Claim 24 recites:

A system in a supply chain network, the system comprising:  
one or more site data appliances comprising one or more types  
of data source equipment, the one or more site data  
appliances configured to use a protocol to collect  
specification information, including event information,  
from the one or more types of data source equipment,  
the specification information forming a Description  
Document;  
one or more site servers coupled to one or more site data  
appliances configured to gather the specification  
information forming the Description Document from  
the one or more site data appliances; and  
**a data center coupled to the one or more site servers  
configured to automatically generate a mapping  
table based on the Description Document, which  
maps the event information, of the one or more site  
data appliances, to event handlers for execution in  
response to an event.**

These aspects of the claimed invention are not disclosed by Tantry or Friedman, alone  
or in the combination suggested by the Examiner.

Specifically, Tantry does not disclose “a data center ... configured to automatically  
generate a mapping table....” The Examiner points only to Tantry’s database (66)  
corresponding to this element. However, a data center is clearly defined in the specification  
as “a data *processing* system” (see para. [0025]) and the claim language explicitly requires  
that the data center be “*configured to automatically generate a mapping table.*”

In contrast, Tantry discloses only a standard relational database “*storing* a library of  
factory floor entities [sic] modeled as factory objects” (col. 15, ll. 19-20; col. 17, ll. 51-52,  
(emphasis added)), *i.e.*, a collection of data or information, which cannot be characterized as  
a structure that *processes* data. Further, by the Examiner’s own admission, Tantry *does not*  
show “automatically generating a mapping table.” As a result, Tantry cannot disclose a data

center that does so. Thus, Tantry's relational database cannot meet this element. The Examiner's attempt to combine Tantry and Friedman to show this limitation is discussed further below.

As noted above, the Examiner admits that Tantry does not disclose "automatically generating a mapping table." Instead, the Examiner points to Friedman's Abstract, ll. 13-17 for this aspect. However, Friedman discloses merely: "... a hierarchical organization that is used for *mapping a particular encountered namespace specification into a unique value* that represents both the namespace specification and an element tag in which the namespace specification occurs." Friedman, Abstract, ll. 13-17.<sup>1</sup> Nowhere does Friedman mention "automatically generating a mapping table, which maps [ ] **event information...to event handlers** for execution in response to an event." Even assuming *arguendo* that Friedman's "namespace specification" could be seen as equivalent to the "event information" of the claimed invention, Friedman's "unique value," or "token," clearly is not equivalent to the business logic "**event handlers** for execution in response to an event" of the claimed invention. Put simply, a "value" cannot be executed. Thus, Friedman's *mapping* to such a "unique value" also is not **mapping to "event handlers** for execution in response to an event." Thus, Friedman is deficient to show this aspect of the claimed invention; Friedman's disclosure of *a* mapping does not suggest the **claimed** mapping of "**event information...to event handlers** for execution in response to an event."

Therefore, the mapping that the Examiner suggests would require a modification of Friedman's disclosed, established namespace specification-to-token mapping function.

---

<sup>1</sup> Friedman defines namespace and namespace specification, respectively, as follows: "The dictionary of element names defined by a schema is referred to as a "namespace."" "A namespace specification within an XML document is said to have a "scope" which includes all child nodes beneath the namespace specification." Friedman, 139-40; 2,12-14.

However, the Examiner provides no rationale for modifying Friedman in this manner, and thus must be applying improper hindsight reasoning gleaned solely from Applicants' specification to make this jump in logic. *See* MPEP 2145 (Examiner's rationale may "not include knowledge gleaned only from applicant's disclosure").

The Examiner relies on the combination of Tantry and Friedman for this claim element. However, the Examiner's rationale is deficient. As discussed above, Tantry's relational database cannot meet the limitation "a data center ... configured to automatically generate a mapping table." The Examiner admits that Tantry does not disclose "automatically generating a mapping table," and relies on Friedman for this portion of the limitation. This treatment of the references is misplaced in several respects.

First, the Examiner's piecemeal treatment of this claim limitation has rendered it meaningless. He attempts to combine Tantry's standard relational database, which he admits does *not* generate a mapping, with Friedman's mapping function, which is accomplished via a namespace hierarchy. This suggested combination imparts functionality to Tantry's database that is not disclosed or suggested as an established function, and/or imparts a structure to Friedman's mapping that is not disclosed or suggested as part of the established mapping function. Thus, the elements of Tantry and Friedman are being used apart from and beyond their established functions, such that the "predictability" of the combination is precluded. *See KSR*, 127 S.Ct. 1727, 1739 (2007).

Specifically, neither Tantry nor Friedman, alone or in the suggested combination, show "a data center ...automatically generat[ing] a mapping table based on the Description Document, which maps the event information, of the one or more site data appliances, to event handlers for execution in response to an event." Thus, the discussion above indicates

that the claimed invention is “more than a predictable use of [these] prior art elements according to their established functions” under *KSR*. *Id.*

Further, the Examiner suggests modifying the references in the above-described manner “in order to take advantage of standardized methods.” Final Office Action dated 4/18/08 at p. 3. However, Tantry teaches away from such modification. Tantry’s software system consists of four levels of functionality, and Tantry’s object-oriented architecture teaches a reliance on a hierarchical tree structure (standard XML). *See, e.g.*, FIG. 8; FIG. 9; 20:17-33.

In contrast, Friedman parses an XML data stream without building a hierarchical tree structure for an XML document (5:35-40), parsing the XML data stream as received and provides data to the application before the entire XML data stream has been processed by the parser (8:45-54). Friedman touts this process as advantageous over traditional “XML parsers ... that [ ] have to build an entire hierarchically structured tree in memory before interpreting the contents of the document” as fostering gains in efficiency. *See* Friedman, 3:45-50. Thus, “incorporate[ing] the XML data stream system of Friedman” with Tantry as suggested by the Examiner (Final Office Action at p. 3) would remove from Tantry the built hierarchical tree structure its established functionality relies upon. This would improperly render Tantry unsatisfactory for its intended purpose (MPEP 2143.01(V)) and take the respective references’ cited aspects beyond their established functions, such that the “predictability” of the combination is precluded. *See KSR*, 127 S.Ct. 1727, 1739 (2007).

Thus, the deficient disclosures of these references, fail to establish a basis from which a proper determination of obviousness under 35 U.S.C. § 103(a) can be made. Thus, Applicants submit that claim 24 is patentably distinguishable over the cited references.

Independent claims 31, 38, 39, and 46 as presented, although not coextensive in scope, recite similar limitations to those distinguished above over the cited references and thus also are patentably distinguishable for at least the above reasons.

Claims 25-30, 32-37, and 40-45 variously depend from claims 24, 31, and 39, which were shown above to be patentable over the cited references and which recite additional patentably distinguishable features not shown in the cited references. For these reasons, Applicants submit that claims 25-30, 32-37, and 40-45 also are patentably distinguishable over the cited references.

### **Conclusion**

In sum, Applicants respectfully submit that claims 24-46, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,

Date: June 18, 2008

By: /Jennifer R. Bush/  
Attorneys for Assignee  
Jennifer R. Bush, Reg. No. 50,784  
FENWICK & WEST LLP  
801 California Street  
Mountain View, CA 94041  
Phone: (650) 335-7213  
Fax: (650) 938-5200